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TOCAD AMERICA, INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

JOBY, INC.,

Plaintiff,

v.

TOCAD AMERICA, INC.,

Defendant.

Case No. 3:07-cv-06455-SI

**NOTICE OF MOTION AND
DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT**

Date: August 22, 2008

Time: 9:00 a.m.

Place: SF Courtroom 10, 19th Floor.

Judge: Susan Illston

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that pursuant to Federal Rule of Civil Procedure Rule 56, Defendant ToCAD America, Inc. will move, and hereby does move, for summary judgment on all counts of Plaintiff's Complaint.

This motion shall be heard on August 22, 2008 at 9:00 a.m., or as soon thereafter as the matter may be heard, before the Honorable Susan Illston, in SF Courtroom 10, located at 450 Golden Gate Avenue, 19th Floor, San Francisco, California 94102. This Motion is based on this Notice of Motion and Motion, the Memorandum of Points and Authorities which will be submitted in support of the Motion, the record on file in this action, and such evidence as may be presented at the hearing of this motion.

Date: June 17, 2008

By: /s/ Brandy R. McMillion
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